

DOCKET FILE COPY ORIGINAL  
Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

ORIGINAL

In the Matter of

MM DOCKET No. 93-8

RECEIVED

Implementation of Section 4(g) )  
of the Cable Television )  
Consumer Protection Act of )  
1992 )  
Home Shopping Station Issues )

MAR 29 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: The Commission

COMMENTS

~~Full-Broadcasting Corporation ("Full")~~ by and through

entitled to mandatory cable carriage rights under the 1992 Cable Act.

Station WADL-TV submits that its programming, which includes home shopping entertainment, serves the public interest and that Station WADL-TV and stations similarly situated should be considered "local commercial television stations" for purposes of the 1992 Cable Act and mandatory carriage on local cable systems. In support, the following is shown:

Adell filed its application for channel 38 on October 5, 1978. Adell's 100% full-time integration proposal was enhanced by 100% local ownership, 10% minority ownership, 10% civic involvement, 5% female ownership, and 5% broadcast experience.

Adell's application was designated for hearing with several

Mt. Clemens is a part of the Detroit ADI, the ninth ranked ADI in the country. The Detroit ADI has 1,722,470 television households, 1,021,991 cable households and a cable penetration of 59.3%. The following stations are licensed to the ADI:

<u>Station</u>	<u>Channel</u>	<u>Network</u>	<u>Group Owner</u>
WJBK	2	CBS	Yes
WDIV	4	NBC	Yes
WXYZ	7	ABC	Yes
CBET	9	CBC	NA
WXON	20	Ind.	No
WADL	38	Ind.	No
WKBD	50	Fox	Yes
WTVS	56	PBS	NA
WGPR	62	Ind.	No

(Broadcasting & Cable Market Place, B-33 (1992)).

Station WADL-TV is the newest UHF station in this very competitive market and one of the few stations in the market which is locally owned and operated. It has, thus, experienced some difficulty in competing for programming. However, it has managed to provide a diverse mix of programming including home shopping network which has been well received in the market. See attached Statement of James Panagos, Program Director. Station WADL-TV is the only station in the market which provides this programming and, as Mr. Panagos observes, it has attracted a substantial and loyal audience. According to Mr. Panagos, those, in particular, served by this type of programming include senior citizens, the handicapped, and others who are confined to their homes for extended periods of time.

Station WADL-TV presents the home shopping programming in the afternoon opposite such program offerings by network affiliates as soap operas. It also presents a block of this programming from 1:30 am to 8:00 am in the morning when some stations are simply off the air. Assuming arguendo that the Commission should even make programming judgments in connection with the instant proceeding, it is submitted that whatever


the market with a unique and needed service. There would be no justification for excluding only this station from the Cable Act's carriage requirements and such exclusion would have only the most severe negative impact on the station and threaten its continued existence.

The goal of the Cable Act is to increase competition in the rapidly changing video marketplace. One of the three areas on which Congress directed the Commission to focus is access to programming. The Cable Act expresses a clear preference for competition, for growth and for diversity in programming and for expanding consumer choices. The home shopping programming presented by Station WADL-TV serves these goals.

In conclusion, Adell urges the Commission to find that home shopping stations, in general, and Station WADL-TV, in particular, are serving the public interest convenience and necessity and, therefore, qualify as "local commercial television stations" for purposes of the 1992 Cable Act.

Respectfully Submitted,

ADELL BROADCASTING CORPORATION

  
By: /s/ William D. Silva  
William D. Silva

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1825 K Street, N. W.  
Washington, D. C. 20006

March 29, 1993

Its Attorneys

STATEMENT OF JAMES PANAGOS

I, James Panagos, hereby state under penalty of perjury as follows:

1. I serve as Program Director and General Sales Manager for Station WADL-TV, Mt. Clemens, Michigan, and have served in this capacity since the station went on the air in May of 1989.

2. Station WADL-TV is owned by local residents and has strong ties to its community of license. Its first objective, to build a first rate technical facility, has been achieved. Station WADL-TV, at substantial expense, constructed a new studio and transmitter building and operates the most powerful station in the State of Michigan. It has been on the air for

~~approximately three years~~

4. This mixed format, home shopping plus other syndicated  
programs and movies therefore provides programming diversity

8. Station WADL-TV, a relatively new UHF station that is not a primary network affiliate, has found it difficult to find affordable programming which is responsive to its audience. However, the home shopping network programming has received a favorable response in the market. As noted above, Station WADL-TV is the only television station in the market to air home shopping network programming. It was estimated last year that there were approximately 200,000 Home Shopping Club families in the market. Viewers frequently avail themselves of this format and order products offered on this programming. This is supported by telephone records kept by HSN which show frequent use of the 800 number exclusively used by Station WADL-TV.

9. Although the station cannot afford to subscribe to rating services, it is my belief that we have a substantial and loyal home shopping audience. One basis for this belief is the number of telephone calls we receive when the station goes off the air or discontinues this programming. Those persons who complain most when the home shopping programs are discontinued are the elderly, the handicapped and others who are confined to their homes for extended periods of time. In addition, the station has received letters from viewers expressing the same sentiments. Attached is a sample of such letters.

10. Another advantage of the home shopping network programming is that it permits the station to profit from its presentation



and to reinvest in the station and other programming designed to meet area needs, tastes and interests. The Commission is aware of the high cost of quality programming and the very competitive video market in which we operate. In this connection, mandatory carriage on the local cable systems is essential to this station's survival.

11. I have personally experienced great frustration in attempting to have our station carried on some of the local systems. For example, on one occasion, after negotiating cable carriage with a local system and expending \$2,500 at the request for the system as a condition for carriage, the system refused to carry our signal except for one hour after

we believe that our mix of home shopping programming with other types of programming serves the public interest. This is confirmed by our loyal audience. Stations such as ours do serve the public interest and carriage on the local cable systems is essential if this service is to continue.

  
James Panagos

Community and Public Service Work  
by Representatives of WADL TV

James W. Panagos, Program Director  
Phi Beta Sigma Fraternity

Serving on the Scholarship Committee. This is an ongoing yearly project to raise funds for 5 yearly full scholarships to minority students in the Metro Detroit area. James W. Panagos will be the keynote speaker at the 1993 Awards Banquet which will be held this year in May.

Time devoted to scholarship work: one day per month.

James W. Panagos is a member of the committee of one hundred which works in the Metro Detroit area community with abused families.

Time devoted: weekly on call.

Awards received: Frank Adell, President; Kevin Adell, Executive President; and Jim Panagos, Program Director  
Certificate of Merit Commendation from Sheriff William Hackel of Macomb County for distinguished work in public service for safety for adults, young adults, and school children.

A. Ruth Riley, WADL TV Director

Serves on the Delta Sigma Theta Sorority Scholarship Committee which holds annual fund raisers to award yearly full scholarships to minority students in the Metro Detroit area.

Time devoted: meetings once a month. fundraising weekly

Kevin Adell, WADL Executive Director

Kevin works closely with the Oakland County Sheriffs Public Service Department. He volunteers his time by creating Public Service Announcements regarding drugs, alcohol abuse, and safety. Kevin Adell works closely with local high school internship programs offering council and advise to students wishing to enter the field of communications.

Time devoted: 6 hours weekly

Sharron Adell  
Public Relations for WADL TV-38

Sharron Adell, WADL Director, Secretary, and Treasurer

Active in local and national Michigan Cancer Foundation, donating her time for meetings once a month, planning fund raisers for parties and charity balls to help raise money to fight cancer. Also helps local Michigan Cancer Foundation on organizing Public Service Announcements for broadcast on making people aware to go for help.

Frank Adell, WADL President

Frank works actively with the city of Novi which is located in Oakland County. His particular input was seen when he singlehandedly spearheaded the project of developing the Novi Expo Center. This project brought new life to a rather obscure community in the Metro Detroit area. The development of the Expo Center put the city of Novi on the map. It now houses many conventions, trade shows, community arts, and the cities drama society. The Expo Center brings a constant influx of money to the city of Novi which helps all of the merchants in the area by creating pedestrian traffic to local businesses.

Frank Adell attends weekly meetings with local businessmen and city officials.

Time devoted: 7-10 hours weekly



43700 EXPO CENTER DRIVE • SUITE 101 • NOVI, MICHIGAN 48375

**LIST OF UPCOMING EVENTS**

**1992**

**SHOW**

Nov. 03 - Nov. 06

Crimmins & Forman Trade Show

Nov. 09

Toyota Trade Show

Nov. 13 - Nov. 14

Stereo & Electronics Show

Dec. 10 - Dec. 12

Country Folk Art Show

**1993**

Jan. 22 - Jan. 24

Stereo & Electronics Show

Feb. 02 - Feb. 09

Builders Show

Feb. 10 - Feb. 22

R. V. & Camper Show

Feb. 23 - Mar. 09

Outdoorama

Mar. 11 - Mar. 14

Scorpio Events Antique Show

Mar. 15 - Mar. 19

Landscape Show\*

Mar. 29 - Apr. 06

Boat Show

Apr. 19 - Apr. 21

Miesel/Sysco Food Show

Apr. 22 - Apr. 26

A.B.L. Antique Show

Apr. 27 - Apr. 28

Michigan Retailers Show

May 01

Big Band/Charity Auction  
Novi Chamber of Commerce

May 21 - May 24

Scorpio Events Antique Show

Aug. 16 - Aug. 22

Boat Show

Sep. 10 - Sep. 12

Business and Franchise Show

Sep. 11 - Sep. 13

Kramer Food Show (Trade)

Sep. 20 - Sep. 23

Miesel/Sysco Food Show\*

Sep. 28 - Oct. 05

Builders Show

Oct. 08 - Oct. 10	Woodworking Show*
Oct. 14 - Oct. 25	R. V. & Camper Show
Oct. 22 - Oct. 24	Snowmobile Show
Oct. 29 - Oct. 31	A.B.L. Antique Show
Dec. 09 - Dec. 11	Country Folk Art Show

\*Denotes Tentative Booking



#1



Det. M. D.

This has a thornless me

which she picked herself  
(they live in Northbrook, Illinois)

SEP 09 1992

but when I saw the gorgeous  
cherry wood cart - I send  
for it - she told me though  
its beautiful - she has  
no room for it as her  
living room in her condo  
is small (3 rooms condo)  
she already bought something  
for pictures and another  
for flowers - she just

# 291 305 357

have the two daughters. I used to have a beautiful  
+ 1 new birth

SEP 15 1992

*42-10-100-1-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1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Dear Sir:

17 1957

I ordered two shirts, 1 size fits all.  
I ordered 1 leopard and one tiger.

They said "the leopard was all sold out."  
Is it at all possible to get one of each.

I sure would love the leopard.  
Still waiting for size 5 dresses and  
5 m. boots and shoes, 2" heels, tapen  
for dress.

Enjoy your show and all your stuff.

Real gracious people.

Mrs. Ardella Butchart

20445 Seneca Dr.

Clinton Township, Mi 48036-2350

account 218187755

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SEP 28 1992

# 120 295886

Dear Sirs —

I have been a member for 8 yrs.

I enjoyed everything I received.

My daughter lives in

1111 N. 1st St. Miami, Fla.

September 19, 1991

SEP 23 1992

Shopping Club  
9090  
Water FL 34618-9090  
Customer Accounts

Dear Mr. Reedel:

I was advised today by Customer Service to  
as you know that I am still awaiting a  
replacement item. I was told that you  
will receive my return of a "wrong" re-  
placement plus the original "damaged"  
item. See enclosed copy of my Aug. 14,  
1992 letter & copy of UPS receipt.

We enjoy our Multi-Purpose Light - the  
3-featured one, and hope you can expedite  
shipment of our second one soon.

Joanne Reedel 235 665 999  
5312 Yankee Road  
St. Clair ME 48079

at the  
being light  
received in  
the enclosed  
with which  
the light  
is the  
light  
and also  
light?

DM  
ED  
secretarial & printing service  
Executive Office of the Governor  
of the State of Florida  
Or Company  
Date  
8/19/92

August 14, 1992  
Attn: B. T. T.  
34579 Frigatewood Dr  
115 Broad Road  
St. Clair, ME 48079

Call 115 115